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INFLUENCE OF PROCUREMENT UNBUNDLING ON PERFORMANCE OF PREFERENCE AND RESERVATION SCHEME IN DEVOLVED GOVERNMENTS IN KENYA

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ABSTRACT

This study examined the influence of procurement unbundling on the performance of the preference and reservation scheme among County Governments in Kenya. The study was guided by the public interest theory of regulation. A descriptive research design was adopted, targeting all Heads of Supply Chain Management and Supply Chain Management officers in 24 selected County Governments in Kenya. A two-stage sampling design was employed: purposive sampling was used in the first stage to select all 48 Heads of Supply Chain Management from the chosen counties, while simple random sampling was applied in the second stage to select 150 Supply Chain Management officers, resulting in a total sample size of 198 respondents. Data was collected using semi-structured questionnaires. A pilot test was conducted among officers in Kisii and Vihiga counties to ensure the validity and reliability of the research instruments. Data analysis was performed using SPSS 25, NVIVO 14, and Python, employing both quantitative and qualitative methods. Descriptive statistics, including frequencies, percentages, means, and standard deviations, were used alongside diagnostic tests for multivariate regression assumptions. Inferential statistics, including correlation and multivariate regression analyses, were also applied. The study achieved a response rate of 87.3% and an instrument reliability score of 0.957. The findings revealed that procurement unbundling ($\beta = 0.2145$, $p = 0.002$), significantly influenced the performance of the preference and reservation scheme. The study concluded that procurement unbundling is a critical determinant of the performance of preference and reservation schemes in devolved governments in Kenya. It is recommended that county governments enhance these institutional determinants by implementing comprehensive policies that mandate unbundling. Practically, the study highlights the importance of tailored support programs for disadvantaged suppliers, including financial assistance and training.

Key Words: Pre - Bid Quantity Lotting, Horizontal Unbundling, Vertical Unbundling

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INTRODUCTION

Public procurement expenditure makes up the most significant spend for any given nation. The value of global public procurement is estimated at US\$1.5 trillion, excluding procurement in the defence sector. The Organization for Economic Cooperation and Development (OECD) reports that the value of global government procurement is equal to 7 % of global GDP and an average of 30% of world merchandise trade (Agaba& Shipman, 2008).

The government of Kenya spends approximately 70% of its budget on procurement (Wleh, 2015; Nduta et al., 2015; Muraguri, 2013). In the 2013/2014 financial year, the budgeted expenditure was KES 1.77 trillion, giving an approximate value of 1.24trillion of public procurement (KNBS, 2013). The budget on procurement will only rise in the long term as the Kenya Fiscal Expenditure is projected to trend around 2.5 trillion in 2022, according to econometric models(Trading Economics, 2020). Besides, Aketch (2013) notes that public procurement plays a vital role in the generation of the wealth of a country because it accounts for about 16 per cent of the GDPs of most countries. The multi-billion-dollar public procurement market is one of the most critical areas of economic activity that can drive innovation, provide people with competitive service, and stimulate economic growth in any country.

Globally, public procurement is recognized as an essential tool for service delivery provision. Public procurement accounts for a high proportion of the government's total expenditure. According to a Benchmarking Public Procurement (BPP) report of 2017 by the World Bank, the global public procurement forms 25 per cent of all government spending (World Bank, 2017). In most countries, there is a policy that guides the preferential treatment of special categories of suppliers. However, Gelderman, Ghijsen and Brugman (2006) reported widespread non-compliance in most countries globally.

Businesses perform better in information-rich environments. In most developing countries, market signals on business opportunities, customer trends and methods of organization are not communicated effectively to the preferential groups (Ladzani 2001). Some notable challenges need to be handled head-on to achieve quality within the information-rich environment, The National Treasury in South Africa, through the Preferential Procurement Policy Framework Act Number 5 of 2000 and Preferential Procurement Regulations for 2017, has spelt out how special groups are supposed to be treated by all levels of government(Republic of South Africa, 2017). According to the Act and related regulations, special considerations during public procurement ought to be given to the following designated groups. These are black people, women, people with disabilities, and small enterprises per their definition in section 1 of the National Small Enterprise Act Number 102 of 1996. There are preference points given or scored in the determination of the awardees of tenders in the public sector.

For decades, the youth, women, persons living with disability and other disadvantaged groups have not been able to access public procurement opportunities and have, therefore, been long considered marginalized with regards to public procurement in Kenya (Nderitu, 2018). However, recent developments in public management reforms, especially in the country's public procurement laws, have sought to address this issue of lack of inclusiveness through preferential procurement laws. Public procurement in Kenya is enshrined in Kenya's Public Procurement and Asset Disposal Act (PPADA) No. 33 of 2015 and related regulations (Republic of Kenya, 2017). The stipulations of the Act are applied across the two levels of government; that is, the National and County Governments. According to the Act, the County treasury should establish a function which promotes preference and reservation schemes about micro and small enterprises. Other categories that receive preferential treatment and reservation include disadvantaged groups such as civil contractors, women, youth, persons living with a disability (PWDs), minorities, and marginalized groups in public procurement at the county. The PPADA, 2015 further provides that preference and reservation schemes for constituents of the county should ensure a minimum of 20% in public procurement at the county (Republic of Kenya, 2017).

Non-adherence to controls could result in unnecessary high operation costs, low levels of supplier participation, low compliance with laws, and failure to attract and retain experienced and skilled personnel in the procurement positions, thus affecting the function's performance (Odhiambo & Kamua, 2006). Compliance monitoring programs or practices are likely to regulate failure or delayed implementation of prudential procurement policy since they allow for consistency in locating and monitoring essential operation procedures and activities for compliance risk throughout the procuring system.

Statement of the Problem

Preference and reservation scheme provides for special treatment for Youth, Women and Persons living with Disability (PWD's) when government entities are awarding tenders for goods, works, and services. The scheme further emphasizes exclusive preference and apportioning of specific tenders to the aforementioned groups (Republic of Kenya, 2017). If the 30% procurement opportunities reserved for special groups were realized in the financial year 2014/2015, then an estimated KES 111.6 billion worth of procurement opportunities would have been available to such firms. A similar amount could have been available in the succeeding fiscal years. However, procuring entities appear to ignore legal requirements that reserve part of government procurement opportunities to special groups with little explanation being offered. A Rapid Response Initiative (RRI) study of 2014 shows that despite the policies that exist for the purpose of regulating the procurement process, the degree of implementation is still unsatisfactory in many Counties.

Failure to enforce preference and reservation scheme is not only an illegality punishable by law, but it may also lead to social inequities and injustices, a reduction in competition for tenders and supply chain inefficiency that could translate into the loss of economy (Ethics and Anti-Corruption Commission, 2015). More often than not, only large firms that are close to decision-makers in devolved governments can secure lucrative tenders. Even tenders categorized for select groups are ultimately awarded to undeserving business owners through proxies (falling under the category of special groups). Malpractices also occasion implementation obstacles like favoritism and corruption that continue to hamper the performance of preference and reservation schemes by public entities, principally due to weak compliance monitoring (Ethics and Anti-Corruption Commission, 2015). On the other hand, the uptake of reserved procurement opportunities by special groups has not been optimal due to lack of supplier support (Ministry of Finance, 2012).

A study by Monari, Iravo, & Kibet (2017) analyzed the factors influencing performance of the preference and reservation policy among persons living with disability at Moi Teaching and Referral Hospital, Kenya. However, these studies did not focus on devolved governments. A related study by Panya and Were (2018) examined the determinants of public procurement regulatory compliance by County Governments in Kenya: A Case of Homabay County Government. However, the comprehensive character of preference and reservation scheme performance was not addressed. Also, the study context was Homabay County Government, whose findings could not allow for comparison and generalization across public entities in Kenya. Against this backdrop, therefore, this study sought to address the gap above to come up with recommendations whose adoption would enhance the performance of preference and reservation scheme, particularly within the devolved government context.

Objective of the Study

To analyze the influence of procurement unbundling on performance of preference and reservation scheme in Devolved Governments in Kenya.

Research Hypothesis

H₀₁: There is no significant influence of procurement unbundling on the performance of preference and reservation scheme in Devolved Governments in Kenya.

LITERATURE REVIEW

Theoretical Framework

Public Interest Theory of Regulation

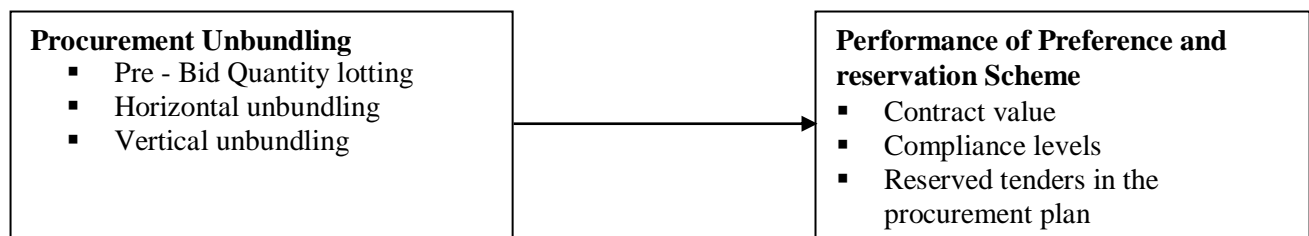
Arthur Cecil Pigou first developed public interest theory in 1932. The theory claims that regulation is caused by public pressure to remedy ineffective or unjust market practices. The theory suggests that regulations favor society as a whole rather than individual vested interests that are perceived as representing the interest of the society in which it functions rather than the regulators' private interests (Deegan & Unerman, 2011).

Public service policy is directed at the public interest and is the best possible distribution for individual and social goods of finite resources. In industrialized economies, such as in the west, the allocation of scarce capital is organized to a large extent by the market system. Under certain conditions, the distribution of resources through the market process is optimal, as shown by Arrow (1985).

The distribution of resources is not optimal; therefore, the need for methods to improve the distribution occurs (Bator, 1958). One of the methods of achieving productivity in the distribution of resources is government control (Shubik, 1970; Arrow, 1970). Government control, according to the theory of public interest, is the instrument for resolving the drawbacks of imperfect competition, the unbalanced activity of the market and undesirable market outcomes.

In the first place, by sustaining, encouraging, or imitating market operations, regulation will enhance allocation. According to Pejovich (1979), the exchange of goods, services and production factors in markets assumes the purpose, allocation and declaration of individual property rights and the freedom to contract which can be organized collectively more effectively than individually in any necessary enforcement of contract compliance. This theory would provide insights into how procurement unbundling as a preference practice regulated by the government affects the performance of preferential procurement schemes in Kenya's Devolved Governments.

Conceptual Framework



Independent Variable

Dependent Variable

Figure 1: Conceptual Framework

Empirical Review

Procurement Unbundling and Performance of Preference and Reservation Scheme

Public infrastructure has long been met with funding problems. In several countries, accessible public services are also minimal. In public procurement processes, fair bidding is a critical method for reducing public spending costs. However, in the infrastructure market, rivalry is always minimal. In some instances, much public money can be saved by improved public procurement design. There is a general tradeoff between the influence of competition and economies of size and scope; large contracts may benefit from the influence of scale and scope, but competition must be sacrificed. The unbundling strategy may stimulate competitiveness but can suffer from size and size diseconomies.

The prospects and challenges to sustainable procurement processes in the Malaysian public sector were examined by an analytical analysis conducted by Islam and Siwar (2013). The purpose of the analysis was to establish sustainable procurement activities in the public sector in the region. The study utilized questionnaires in order to obtain information. The study noted that in Malaysia, preferential procurement is being conducted to support sensitive development policies and increase the economic power of indigenous people who are predominantly active in small businesses. The research has also shown that the country is following sustainable public procurement practices.

In Nigeria, an analytical assessment carried out by Kayode and Fcipsmn (2016) analyzed public procurement procedures. The purpose of the study was to examine public procurement practices in the region. For the analysis, a descriptive survey test method was used. Knowledge from secondary sources was collected. The results of the study showed that many procurement standards and procedures occur in the region. The study also showed that preferential procurement treatment is used to facilitate international technology indigenization, the growth of backward areas, and the security of small-scale enterprises. Research undertaken by Ambe and Weiss (2012) in South Africa analyzed procurement problems in the public sector of South Africa. The analysis aimed to recognize public procurement activities in the public sector of the country and the challenges posed by procurement. The research was insightful. The findings of the study showed that the public sector of the country uses the method of selective procurement to meet clear socio-economic goals in the country.

A local analysis undertaken by Aruasa (2018) analyzed the Bomet County government's sustainable procurement processes and results. The fundamental goal of the research was to evaluate the methods of sustainable procurement implemented by the county. For the analysis, the descriptive test layout was adopted. A research survey of 47 respondents was conducted using a stratified sampling methodology. With the aid of the statistical kit for social sciences (SPSS), inferential and descriptive statistics were used. The study showed that the County adhered to the 2011 choice and reservation law, which in turn resulted in increased accuracy of orders issued.

METHODOLOGY

The present study adopted a descriptive research design. Besides the adoption of descriptive research design, the study employed a mixed research approach. The target population for this study was 564 Supply Chain Management staff.

To get the desired sample size for the study, all the 10 Supply Chain Management officers in charge of line ministries/departments from the twenty-four (24) selected County Governments are surveyed to arrive at an accessible population of 240.

In deriving the sample from the sampling frame, Yamane (1967) statistical formula was employed.

This study, therefore, used a sample size of 150 Supply Chain Management officers and 48 Heads of Supply Chain Management to arrive at a total of 198.

This study used structured questionnaires with open ended items and closed ended items to collect data from Heads of Supply Chain and structured questionnaires with closed ended items for the Supply Chain Management officers respectively

A pilot study is a test run carried out in advance of the entire study to assess the study's viability and possible shortcomings in the data collection method (Teijlingen van, Rennie, Hundley, & Graham, 2001). A total of 20 questionnaires were administered to Supply Chain Management staff working with the County Governments of Kisii and Vihiga, where 19 Questionnaires were returned giving a response rate of 95%. The preceding explains the choice of County Governments of Kisii and Vihiga, the 20 respondents (10% of 240) and the 4 Heads of Supply Chain Management (10% of 48).

The Cronbach's alpha coefficient was used to assess the instrument's internal accuracy.

FINDINGS AND DISCUSSIONS

Response Rate

Table 1: Response Rate

No. of questionnaires Issued	No. of questionnaires Returned	Response Rate (%)
150	131	87.3

Descriptive Analysis Results

Procurement unbundling and the performance of preference and reservation scheme in Devolved Governments in Kenya

The objective of the study was to analyze the influence of procurement unbundling on the performance of preference and reservation scheme in Devolved Governments in Kenya. This objective was determined by posing several statements related to: Pre - Bid Quantity lotting, horizontal unbundling, and vertical unbundling on the preference and reservation scheme. A five-point Likert scale was used to rate responses of this variable and it ranged from; 1 = strongly disagree to 5 = strongly agree and was analysed based on the mean score and standard deviation. The closer the mean score on each item was to 5, the more the agreement concerning the statement. A score around 2.5 would indicate uncertainty while scores significantly below 2.5 would suggest disagreement regarding the statement posed. The findings are presented in Table 2 below.

Table 2: Procurement unbundling and performance of preference and reservation scheme

Statement	SA %	A %	N %	D %	SD %	Mean	St. Dev
1. Supplier participation is increased through dividing contracts into lots	11	54	6	20	9	3.6	0.576
2. Pre-bid conferences are done to evaluate supplier capacity.	23	43	14	11	9	3.38	0.774
3. Procurement unbundling has increased tender uptake by disadvantaged groups.	17	62	8	11	2	3.81	0.835
4. Unbundling of routine common user items allow more participation by disadvantaged groups.	20	38	33	6	3	3.66	0.946
5. Multiple participation is allowed in preferential procurement for disadvantaged groups.	17	57	20	4	2	3.83	0.838
6. At least 30% of our procurement requirements are apportioned for special groups in our procurement plan.	5	43	43	8	1	3.43	0.764
Aggregate						3.618	0.789

Table 2 indicates that the overall mean ($M = 3.618$; $SD = 0.789$) was high, with a standard deviation below 1, suggesting that most respondents agreed with the statements regarding the influence of procurement unbundling on the performance of the preference and reservation scheme in devolved governments in Kenya.

The findings reveal that supplier participation has increased through the division of contracts into smaller lots, as 54% of respondents agreed with this statement, reflected in a mean of 3.6. However, only 43% of respondents agreed, with a mean of 3.38, that pre-bid conferences are conducted to evaluate supplier capacity. This suggests that while unbundling has had a positive impact, the practice of holding pre-bid conferences may need more emphasis.

Most respondents (mean = 3.81) concurred that procurement unbundling has led to an increased tender uptake by disadvantaged groups, indicating that unbundling is an effective strategy for enhancing inclusivity. Additionally, a mean of 3.66 showed that unbundling routine common user items allowed greater participation from these groups.

Furthermore, 57% of respondents, with a mean of 3.83, agreed that multiple participation is permitted in preferential procurement for disadvantaged groups, reinforcing the idea that unbundling encourages broader involvement. However, there was uncertainty among respondents about whether at least 30% of the devolved governments' procurement requirements were apportioned for special groups. This uncertainty was reflected by 43% of respondents who were unsure, with a mean of 3.43, indicating a potential area for improvement in policy implementation.

The study also included qualitative feedback, with respondents noting that procurement unbundling positively influenced the participation of women and youth-owned enterprises in county tenders. One respondent stated, "Dividing contracts into smaller lots has allowed more women and youth-owned enterprises to participate in our county's tenders." Another added, "We've seen an increase in the number of bids from disadvantaged groups thanks to procurement unbundling."

However, challenges were also highlighted, particularly in terms of technical capacity. One respondent mentioned, "While unbundling has increased access, many small suppliers still struggle with the technical aspects of handling more complex contracts." Another echoed this concern, noting, "The lack of technical expertise among some suppliers means that even when contracts are unbundled, they can't always meet the requirements."

Overall, these findings suggest that procurement unbundling has a positive impact on the performance of preference and reservation schemes in devolved governments in Kenya. The high mean scores across various statements reflect a general agreement that unbundling enhances supplier participation, especially among disadvantaged groups. This aligns with existing literature, which suggests that procurement unbundling can increase market accessibility for smaller suppliers by making contracts more manageable (Kumar & Sharma, 2020). Additionally, the emphasis on pre-bid conferences and the reservation of procurement quotas for special groups illustrates a strategic approach to inclusive procurement practices, supporting theories that tailored procurement strategies can facilitate broader economic participation (Doe & Rahman, 2018).

Inferential Analysis Results

Assumptions of Regression Model

Linearity Test

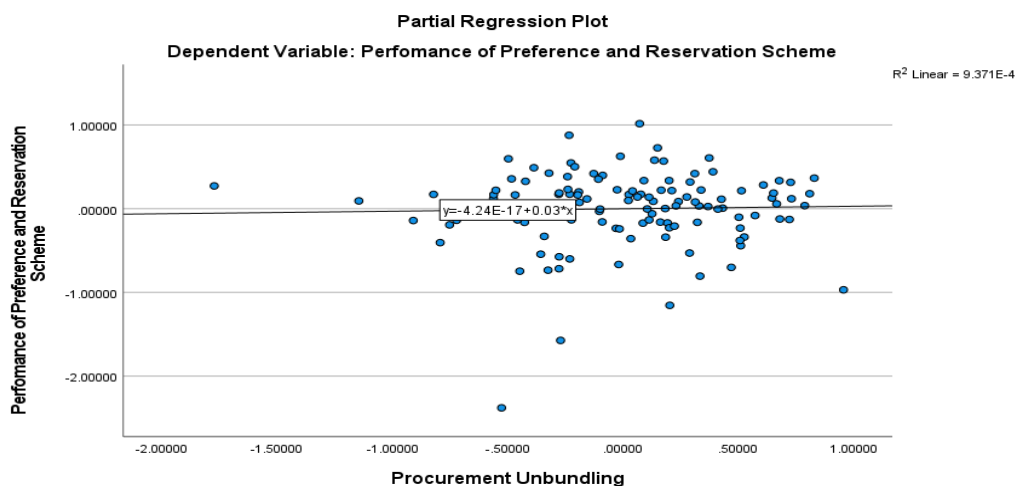


Figure 2: Linearity Test

Procurement Unbundling

The plot shows the relationship between the residuals of the dependent variable (Performance of Preference and Reservation Scheme) and the residuals of the predictor (Procurement Unbundling) after removing the effects of other predictors. The points are scattered and follow a clear linear trend. The fitted line is almost horizontal, suggesting a weak linear relationship between procurement unbundling and the performance of the preference and reservation scheme.

Normality Test

The normality test evaluates whether the dependent and independent variables are normally distributed. Ghozali (2009) states that a good regression model has normally distributed data. Visual graph analysis (histograms and P-P plots) were used.

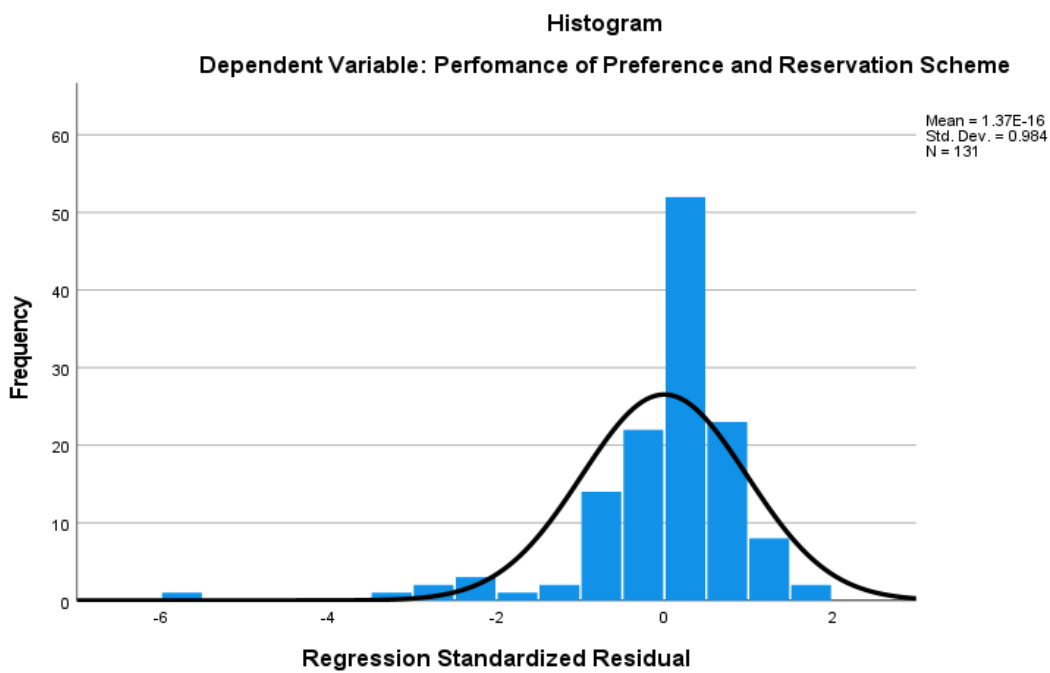


Figure 3: Normality Test

The histogram shows that while the residuals are roughly normally distributed, there is some deviation from normality, particularly with a slight negative skew. The fit of the normal curve to the histogram suggests that the assumption of normality is reasonably met, although there are some minor deviations at the tails.

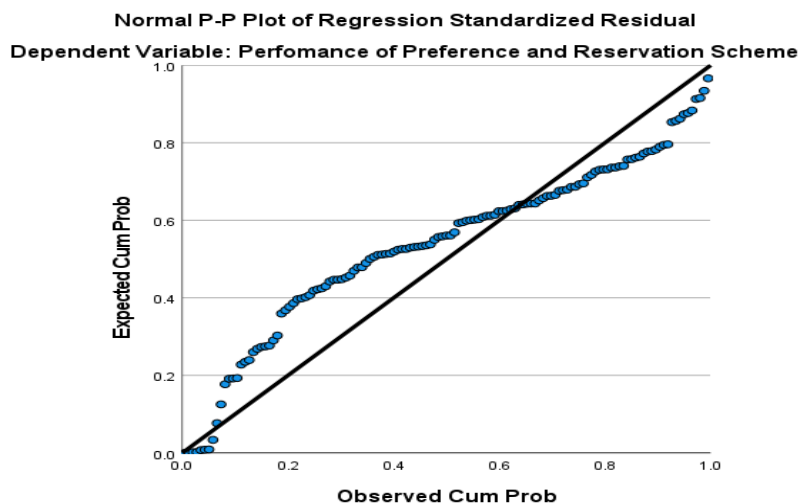


Figure 4: Histogram

The Normal P-P Plot shows that the residuals are approximately normally distributed, as the points largely follow the diagonal line with only minor deviations. This suggests that the assumption of normality for the residuals is reasonably met and confirmed in the regression model.

Heteroscedasticity Test

Heteroscedasticity was tested using the Breusch-Pagan test and visual inspection of scatter plots. According to Ghozali (2009), homoscedasticity means the variance of residuals is constant and a p-value > 0.05 suggests no heteroscedasticity (Ghozali, 2009).

Scatter Plot: The scatter plot of residuals vs. fitted values shows no clear pattern, indicating homoscedasticity.

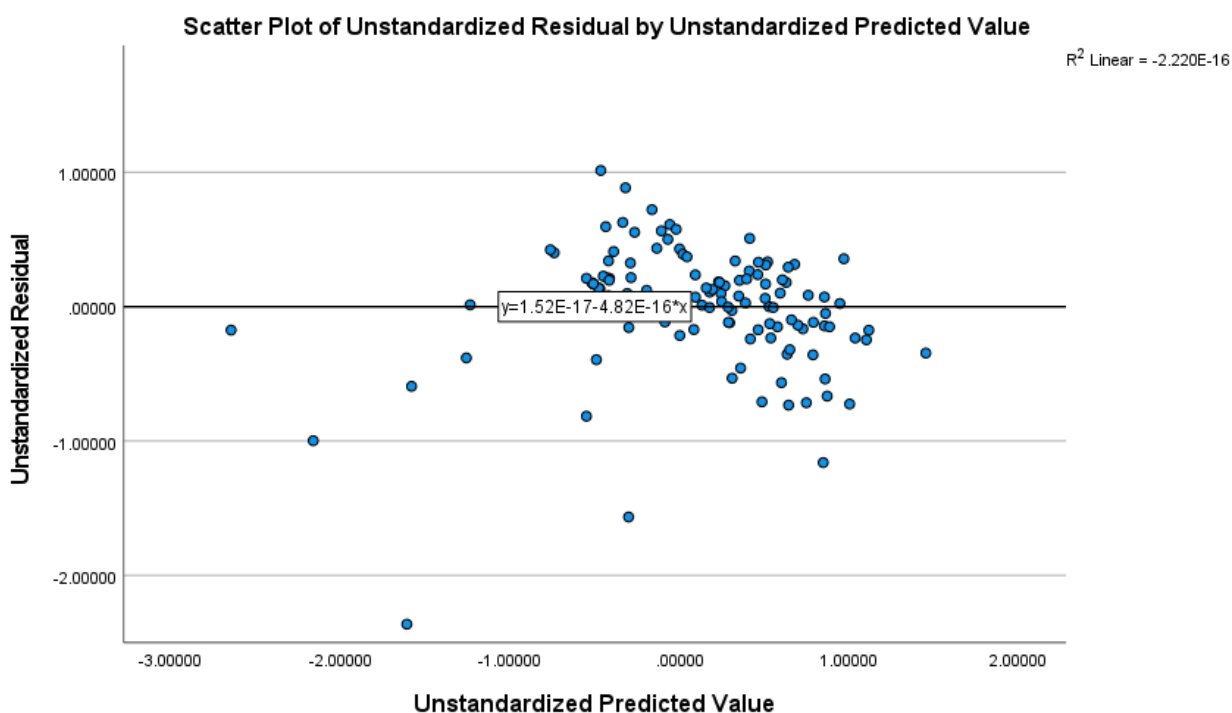


Figure 5: Heteroscedasticity Test

Table 3: Breusch-Pagan Test

Lagrange multiplier statistic	3.89
p-value	0.089
f-value	2.91
f p-value	0.079

The P Value (2.91) derived from the lagrange multiplier test is greater than 0.05 and hence the study concludes that there was no heteroscedasticity.

Hypothesis Testing

Hypothesis 1: Procurement Unbundling and Performance

The regression analysis reveals that Procurement Unbundling significantly affects the performance of the preference and reservation scheme ($\beta = 0.2145$, $t = 3.292$, $p = 0.002$). This finding suggests that breaking down procurement projects into smaller, more manageable components enhances performance. This result aligns with existing literature, such as Estache and Iimi (2011), which indicates that procurement unbundling

increases supplier participation, especially among smaller and disadvantaged groups. This supports the hypothesis that procurement unbundling positively influences procurement performance by facilitating broader market participation and competition.

CONCLUSION AND RECOMMENDATIONS

The analysis of this study demonstrated that procurement unbundling is a critical factor in enhancing the performance of preference and reservation schemes within devolved governments. The descriptive statistics revealed a strong consensus among respondents that unbundling practices, such as dividing contracts into smaller, more manageable lots, significantly increase supplier participation, particularly among disadvantaged groups. This approach not only facilitates broader market access but also fosters greater competition, enabling smaller and often marginalized suppliers to compete effectively.

The regression analysis further reinforced this conclusion, showing that procurement unbundling has a significant positive impact on performance ($\beta = 0.2145$, $p = 0.002$). This finding aligns with existing literature, which emphasizes the strategic advantages of breaking down large procurement projects to encourage wider participation and enhance the overall efficiency of procurement processes. By making contracts more accessible to a diverse range of suppliers, unbundling helps to level the playing field, thereby promoting inclusivity and fairness in public procurement.

Moreover, qualitative feedback from respondents underscored the real-world benefits of procurement unbundling, particularly for women and youth-owned enterprises, which have seen increased participation in tenders due to these practices. However, the study also highlighted the need to address technical capacity challenges among smaller suppliers to fully realize the potential benefits of unbundling.

In conclusion, the high levels of agreement among respondents, coupled with the positive regression results, underscore the critical role of procurement unbundling in enhancing the inclusivity and competitiveness of procurement processes. Devolved governments are therefore encouraged to prioritize and implement unbundling strategies as a means to improve the effectiveness of preference and reservation schemes. By doing so, they can ensure that procurement processes are not only more inclusive but also more competitive, ultimately leading to better outcomes for all stakeholders involved.

Devolved governments should establish clear policies that mandate the unbundling of large contracts into smaller, more manageable lots to enhance supplier participation, particularly among disadvantaged groups. This policy should standardize unbundling practices across all procurement activities to ensure inclusivity and fair competition.

Practically, devolved governments should organize targeted training and workshops for procurement officers and suppliers to educate them on the benefits and procedures of unbundling. This hands-on approach will ensure stakeholders are well-informed and capable of implementing unbundling strategies effectively. Furthermore, clear monitoring and evaluation mechanisms should be established to track the outcomes of unbundling initiatives, providing actionable insights for refining and enhancing these practices over time.

This study offers significant theoretical implications, particularly in supporting the effectiveness of procurement unbundling as a strategy for increasing supplier diversity and competition in public procurement. Future research can build on these findings by exploring the long-term impacts of unbundling on market dynamics and the economic empowerment of disadvantaged groups. The study's findings on the varying effectiveness of procurement automation provide a basis for further academic inquiry into the factors influencing the successful adoption of e-procurement systems. This includes examining the roles of organizational culture, training, and infrastructure in shaping the outcomes of automation initiatives, contributing to the literature on technology adoption and its implications for public sector efficiency and transparency.

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